

23.(Presently amended) A computer readable medium containing instructions which, when executed by a computer:

provide one or more images;

allow selection of said one or more images; [and]

enable a user to print said one or more images in paper form; and

allow interaction with an on-line training laboratory to facilitate learning and communication in connection with use of said one or more images in paper form.

#### REMARKS

This amendment is in response to the Office Action dated November 29, 2003. Applicant amends claims 1, 7, 16, and 20-23 to more particularly point out and distinctively claim the present invention. In particular, Applicant has added the on-line training laboratory feature. Support for this amendment is found in the specification, for example at page 10, lines 15-18, and page 13, lines 23-30. Applicant cancels claims 2, 4 and 19.

Prior to addressing each of the Examiner's rejections below, Applicant would like to elaborate on some of the unique aspects of the present invention. The puppetry based communication system of the present invention is designed to meet an important educational need by providing a comprehensive training and communication system for generating, carrying and delivering the energy associated with play, and to facilitate play behavior.

The puppetry-based communication system and method of the present invention is built on newfound knowledge of the brain. The nature of play and its novel role in learning—beyond the commonplace early childhood use—is invisible and not anticipated. Playful communication is at risk and its benefits are not recognized —especially in learning environments where communication is increasingly dry, linear, and unimaginative. People do not see—and therefore do not understand—that playful communication can be used successfully, for example, in a sixth-grade classroom or a college foreign language classroom. The puppetry-based communication system and method of the present invention was conceived to make the impact of such energy possible to see, model, grasp, apply, and 'materialize'.

The puppetry-based communication system and method of the present invention employs a paper media, the images with a hinge adapted for hand manipulation to form puppets, as a physical "transmitter." The present invention builds on these scientific foundations, and by

employing common artifacts and paper with the use of the hinge creates a symbolic, hand-driven language.

The puppetry-based communication system and method of the present invention includes, but yet goes significantly beyond the use of standard components of a web site. It provides the basis for the user to leap from a passive craft, crayon coloring, or paper folding activity of the prior art, into a mode of communication capable of systemically activating classroom experience in three distinct areas usually resistant to change: behavior, communication, and content. Applicant respectfully submits that such a system and method is novel, non-obvious and a significant advance in the field.

Turning now to the rejections in the Office Action, the Examiner has rejected claims 1-5, 7-8 and 12-23 as anticipated by the Enchanted Learning website under 35 U.S.C. 102(b). Since the Enchanted Learning reference is a website and the date of publication for all pages is not clearly identifiable, it is uncertain whether, and to what extent, the website is an effective prior art reference. To expedite prosecution of this application, Applicant traverses the rejection of the Enchanted Learning website on its merits. Applicant reserves the right to challenge the effective prior art date of, and/or antedate, the Enchanted Learning website reference at a later time.

A claim is anticipated under 35 U.S.C. 102 only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. Applicant respectfully submits that the Enchanted Learning website does not show each and every element of the claims of the present invention.

The Enchanted Learning website, as best understood by the screen shots provided by the Examiner, appears to show nothing more than encyclopedia type content along with various craft projects that users can download. In sum, the Enchanted Learning website does not provide a comprehensive system of communication as provided by the present invention. More specifically, the Enchanted Learning website does not disclose images having a hinge which are then downloaded and useable by hand manipulation as recited in the amended claims. At most the Enchanted Learning website appears to show crafts that may be constructed in a variety of ways. For example, the "Puppets and Marionettes" screen of the Enchanted Learning website shows puppets that can be made of styrofoam trays and drinking straws, a ladybug puppet made of two paper plates, and a puppet made from a paper bag. Many of the examples given require paper connectors, string and other additional items to construct the craft. Only *instructions* regarding how to make such crafts are provided by the Enchanted Learning website. Applicant respectfully submits that none of the images are provided for download onto a paper printer and

configured in such a form with a hinge ready for immediate hand manipulation as provided by the present invention.

Moreover, the Enchanted Learning website does not disclose or teach a communication platform or system as taught by the present invention. For example, the Enchanted Learning website does not disclose a training laboratory comprising a plurality of developmental segments which allows users to interact with the site to facilitate learning and communication, as recited in the amended claims. The present invention is an integration of components such as images, paper media, puppetry media and web-based communication which add up to a novel communications systems which facilitates learning with play. The Enchanted Learning website does not disclose or suggest such a system, and simply falls flat.

The Examiner next rejects claims 6, 9, 10 and 11 under 35 U.S.C. 103(a) as obvious in light of Enchanted Learning website, and further in view of Katz (US pat. no. 5,009,626). Applicant respectfully traverses this rejection and submits that the amended claims are patentable over the cited references.

When rejecting claims under 35 U.S.C. §103, the Examiner bears the burden of establishing a prima facie case of obviousness. To establish a prima facie case, three basic criteria must be met: (1) the prior art must provide one of ordinary skill with a suggestion or motivation to modify or combine the teachings of the references relied upon by the Examiner to arrive at the claimed invention; (2) the prior art must provide one of ordinary skill with a reasonable expectation of success; and (3) the prior art, either alone or in combination, must teach or suggest each and every limitation of the rejected claims. The teaching or suggestion to make the claimed invention, as well as the reasonable expectation of success, must come from the prior art, not Applicant's disclosure. Applicant respectfully submits that the prima facie obviousness is not established and the claims of the present invention are patentable over the cited references.


As discussed above the Enchanted learning website does not teach or suggest the present invention. Applicant respectfully submits that the Katz reference adds nothing more. Katz is directed to forming a three-dimensional lifelike representations of a head portion of a real life-like subject formed by imprinting the head portion on a flexible of sheet fabric material and applying to a computed selected substrate structure of configuration and size matched to the printed representation of the head of the subject.

Katz does not teach or suggest a communications system as claimed in the present invention. Katz appears to teach nothing more than computer manipulated paper dolls. Even if one were to combine Katz with the Enchanted Learning website, one would not arrive at the communication system and method of the present invention as claimed.

Applicant respectfully submits that the present application is now in condition for allowance, and a Notice of Allowance is respectfully requested. If any matters can be handled by telephone, Applicant requests that the Examiner telephone Applicants' attorney at the number below.

If necessary, the Commissioner is authorized to charge any additional fees or return any over payments to Deposit Account No. 50-2319 (Order No. A-69185/MSS (468984-1)).

Respectfully submitted,

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